

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, June 3, 1943

The City Council convened in Regular Session, at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, June 3, 1943, at 10:55 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; absent, Councilman Wolf.

There were present also: Walter E. Seaholm, Acting City Manager; J. E. Motheral, City Engineer; J. M. Patterson, Jr., Acting City Attorney; and R. D. Thorp, Chief of Police.

The minutes of the Regular Meeting of May 27, 1943, were read, and upon motion of Councilman Alford, were adopted as read by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

W right Stubbs, Attorney for Vernon Lee McConico, colored, appeared before the Council and petitioned for the granting of his client's application for a taxicab driver's permit, which had been recommended for denial. After a consideration of the facts in the case, it was the sense of the Council that the permit be not granted.

The following applications for licenses to operate private boats, duly approved by the Lake Austin Navigation Board, were submitted:

<u>Name and Address of Applicant</u>	<u>Description of Boat</u>
Gaskin, Herbert, Jr., - 2412 Indian Trail	Kayak, Sail and Paddle, 1943 Model, "Privateer, Jr." - 2-passenger
Glisman, R. H. - 404 Brazos Street	Lyman, Outboard, Johnson, Two Years Old, 5-passenger
Hilbun, Thomas A. - 2004 Oldham Street	Wagenaker, Outboard, 1941 Model, "Florence", Evinrude, 4-passenger

Councilman Bartholomew moved that the licenses be granted. The motion carried by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The application of Clifton Ray Burd, 904 Willow Street, for a renewal of his taxicab driver's permit, duly approved by the Acting City Manager, et al., was submitted. Councilman Alford moved that the renewal be granted, subject to applicant's obtaining a State Chauffeur's License for 1943. The motion carried by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The application of J. P. Jones for a wine and beer permit for the Austin Grill, 623 Congress Avenue, duly approved by the Acting City Manager, et al., was submitted. Councilman Bartholomew moved that the permit be granted. The motion carried by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN, PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING IN CERTAIN PARTICULARS SECTION 22(e) AND SECTION 22(f) OF SAID ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

The Ordinance was read the first time and Councilman Gillis moved that the rule be suspended and the Ordinance be passed to its second reading. The motion carried by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The Ordinance was read the second time and Councilman Gillis moved that the rule be further suspended and the Ordinance be passed to its third reading. The motion carried by the following vote:

"ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The Ordinance was read the third time and Councilman Gillis moved that the Ordinance be finally passed. The motion carried by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The Mayor then announced that the Ordinance had been finally passed.

Councilman Bartholomew offered the following resolution:

(RESOLUTION)

WHEREAS, W. B. Loveless, owner of Lots 1 and 3, Block 19, and Mrs. Thelma Faulk, owner of Lot 2, Block 19, of Swisher Addition, which property abuts the west side of South Congress Avenue at a location south of West Elizabeth Street within the City of Austin, Travis County, Texas, and being locally known as 1502-1510 South Congress, has made application to the City Council of the City of Austin for permission to set the curb back from the established curb line on the west side of South Congress Avenue adjacent to the above described property; and

WHEREAS, A plan has been prepared showing the layout of said curb setback, which plan is hereto attached marked 2-C-962 and made a part hereof; and

WHEREAS, Said plan and request has been reviewed and considered by the City Council of the City of Austin; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN;

THAT W. B. Loveless, owner of Lots 1 and 3, Block 19, and Mrs. Thelma Faulk, owner of Lot 2, Block 19, of Swisher Addition, which property abuts the west side of South Congress Avenue at a location south of West Elizabeth Street within the City of Austin, Travis County, Texas, and being locally known as 1502-1510 South Congress Avenue, is hereby granted permission to set the curb back from the established curb line on South Congress Avenue adjacent to the above described property.

Permission to construct the above described curb setback is granted subject to the same's being constructed in accordance with the plan approved by the City Engineer of the City of Austin, which plan is hereto attached marked 2-C-962 and made a part hereof, and in accordance with the following conditions:

- (1) That the construction of the setback area on South Congress Avenue shall be carried out in accordance with the accompanying plan marked 2-C-962 and that all such widened areas, driveways or ramps and curbs shall be constructed of concrete at the expense of the applicant.
- (2) That all such concrete shall be not less than 6 inches in thickness and shall be of the following proportions: 1 part cement, 2½ parts of sand, and 4 parts of screened gravel or rock.
- (3) That the concrete curbs adjacent to the sidewalk area shall be not less than 6 inches high and that an expansion joint not less than ¾ inch thick shall be placed between the curb and the sidewalk as shown on the plan hereto attached marked 2-C-962.
- (4) That all such expansion joints shall be of the pre-moulded type.
- (5) That all concrete work within the street area shall be done by a bonded sidewalk contractor.
- (6) That the applicant shall be required to clean the newly created ramp area at least twice per week and shall dispose of the debris at his expense.
- (7) That all work shall be done in accordance with lines and grades furnished by the Engineering Department of the City of Austin and under the direction of the City Engineer.

Upon motion of Councilman Bartholomew, the foregoing resolution was adopted by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

A committee from the Optimist Club, with A. S. Hull as spokesman, presented a request to the Council for the enactment of an ordinance requiring that juvenile bootblacks be licensed and operate under curfew restrictions.

Following a discussion of the matter, the Acting City Attorney was instructed to prepare an ordinance, after consultation with the committee and the Chief of Police, providing for the registration

of juvenile vendors.

The application of Robert L. Dyer for a wine and beer permit for the Oasis Night Club, 309 West 5th Street, duly approved by the Acting City Manager, et al., was submitted. Councilman Gillis moved that the permit be granted, subject to applicant's obtaining a State license. The motion carried by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

Mayor Miller offered the following resolution:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of One Hundred Twenty & No/100 Dollars (\$120.00), payable at the rate of \$20.00 per month beginning July 1, 1943, be, and the same is hereby, appropriated out of the General Fund not otherwise appropriated, to supplement the existing appropriation for maintenance of the Chalmers Nursery School, thereby increasing the City's contribution to the maintenance of this project to \$80.00 per month; and

BE IT FURTHER RESOLVED:

THAT the Acting City Manager be, and he is hereby, authorized and directed, in the event the County of Travis fails to contribute a like amount, to increase the foregoing appropriation sufficiently to cover the deficit arising from such failure on the part of said County of Travis.

Upon motion of Councilman Bartholomew, the foregoing resolution was adopted by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

Mayor Miller offered the following resolution:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of One Hundred Twenty & No/100 Dollars (\$120.00), payable at the rate of \$20.00 per month beginning July 1, 1943, be, and the same is hereby, appropriated out of the General Fund not otherwise appropriated, to supplement the existing appropriation for maintenance of the Negro Nursery School, or Rosewood Nursery School, as it is now called, thereby increasing the City's contribution to the maintenance of this project to \$55.00 per month; and

BE IT FURTHER RESOLVED:

THAT the Acting City Manager be, and he is hereby, authorized and directed, in the event the County of Travis fails to contribute its allotted amount, to increase the foregoing appropriation sufficiently to cover the deficit arising from such failure on the part of said County of Travis.

Upon motion of Councilman Gillis, the foregoing resolution was adopted by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

There being no further business, upon motion, seconded and carried, the meeting was recessed at 12:10 P. M., subject to call of the Mayor.

APPROVED

Tom Miller
MAYOR

ATTEST:

Hollis M. Miller
CITY CLERK